

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROMMEL ANTOLIN,

Debtor.

DEXCOM, INC.,

Garnishee.

Case No. 2:23-MC-00031-WBS-KJN

**FINDINGS AND RECOMMENDATIONS FOR  
FINAL ORDER OF CONTINUING  
GARNISHMENT**

Criminal Case No. 2:08-CR-00318-MCE

The Court, having reviewed its files and the United States' Request for Findings and Recommendations for Final Order of Continuing Garnishment, and good cause appearing, hereby recommends a Final Order of Continuing Garnishment be granted.

Accordingly, IT IS RECOMMENDED that:

1. The United States' Request for Findings and Recommendations for Final Order of Continuing Garnishment be GRANTED;

2. Dexcom, Inc., be directed to pay the Clerk of the United States District Court twenty-five percent (25%) of Debtor Rommel Antolin's ongoing and non-exempt disposable earnings, including, but not limited to wages, earnings, commissions, and bonuses;

3. Dexcom, Inc., be directed to pay the Clerk of the United States District Court the amount of non-exempt disposable earnings, including, but not limited to wages, earnings, commissions, and bonuses, already withheld as a result of the writ, within fifteen (15) days of the filing of the Final Order. Payment shall be made in the form of a check, money order, or company draft, made payable to the “Clerk of the Court” and delivered to:

Office of the Clerk  
501 I St., Rm. 4-200  
Sacramento, CA 95814

The criminal docket number (2:08-CR-00318-MCE) shall be stated on the payment instrument;


4. The United States be entitled to recover a \$31,353.76 litigation surcharge after satisfaction of the judgment amount owed by Rommel Antolin. Garnishee shall pay the litigation surcharge to the United States Department of Justice, who will provide payment instructions to the Garnishee concurrently with service of the final order;

5. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and

6. The garnishment shall terminate when (1) the United States seeks to terminate the writ or (2) when the judgment amount and litigation surcharge are fully satisfied.

These findings and recommendations are submitted to the United States District Judge assigned to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) days, after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the specified time may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9<sup>th</sup> Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153, 1156-57 (9<sup>th</sup> Cir. 1991).

Dated: April 20, 2023

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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